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Assistance in mine action

Report of the Special Political and Decolonization Committee (Fourth Committee)

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I. Introduction

1. At its 2nd plenary meeting, on 15 September 2017, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-second session the item entitled "Assistance in mine action" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 22nd meeting, on 1 November 2017. The Committee held a general debate and took action on the item at the same meeting.[1]

3. For its consideration of the item, the Committee had before it the report of the Secretary-General (A/72/226).

4. At the 22nd meeting, on 1 November, the Assistant Secretary-General for Rule of Law and Security Institutions in the Department of Peacekeeping Operations made an introductory statement.

II. Consideration of draft resolution A/C.4/72/L.12

5. At the 22nd meeting, on 1 November, the representative of Poland, on behalf of Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, the Netherlands, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Assistance in mine action" (A/C.4/72/L.12) and orally revised it.[1]

[1] See A/C.4/72/SR.22.

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Subsequently, Albania, Andorra, Argentina, Bosnia and Herzegovina, Iraq, Liechtenstein, Montenegro, Norway, Peru, the Republic of Moldova, Thailand and the former Yugoslav Republic of Macedonia joined in sponsoring the draft resolution.

6. At the same meeting, the Committee was informed that the draft resolution had no programme budget implications.

7. Also at its 22nd meeting, the Committee adopted draft resolution A/C.4/72/L.12, as orally revised, without a vote (see para. 8).

III. Recommendation of the Special Political and Decolonization Committee (Fourth Committee)

8. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolution:

Assistance in mine action

The General Assembly,

Recalling its resolution 70/80 of 9 December 2015 and all its previous resolutions on assistance in mine clearance and on assistance in mine action, all adopted without a vote,

Recalling also all relevant treaties and conventions[1] and their review processes,

Noting the twentieth anniversary of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction,[2] and the establishment of both the United Nations Mine Action Service and the Inter-Agency Coordination Group on Mine Action,

Noting with appreciation the extent to which the International Day for Mine Awareness and Assistance in Mine Action has been commemorated worldwide,

Noting all relevant United Nations resolutions that take into account the humanitarian aspects of assistance in mine action,

Reaffirming its deep concern at the tremendous humanitarian and development impact of mines and explosive remnants of war,[3] in affected countries, which have serious and lasting social and economic consequences for the populations of such countries, including refugees and other displaced persons returning to their homes, as well as persons residing in conflict areas, and which negatively affect the delivery of humanitarian assistance,

Bearing in mind the serious humanitarian risk that mines and explosive remnants of war pose, in affected countries, to the safety, health and lives of local civilian populations, as well as of personnel participating in humanitarian, peacekeeping, rehabilitation and mine clearance programmes and operations,

Expressing alarm at the renewed increase in casualties of mines and explosive remnants of war in conflict and post-conflict situations,

Emphasizing the increased necessity and urgency of strengthening mine action efforts by the international community with a view to eliminating the risk and the humanitarian impact of mines and explosive remnants of war on civilians as soon as

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[1] These include the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, 1997; the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices, as amended in 1996 (Protocol II to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects); the Protocol on Explosive Remnants of War, 2003 (Protocol V to the 1980 Convention); the Convention on Cluster Munitions, 2008; the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, 1977 (Protocol I); and the Convention on the Rights of Persons with Disabilities, 2006.

[2] United Nations, *Treaty Series*, vol. 2056, No. 35597.

[3] As defined by Protocol V to the 1980 Convention.

possible and to facilitating the safe and unhindered access of humanitarian personnel and the delivery of supplies and equipment, in accordance with the humanitarian principles,

Recognizing the continued progress made in surveying and clearing mines and explosive remnants of war, providing risk education to affected populations and supporting victims,

Noting that, for the purposes of the implementation of the present resolution, improvised explosive devices meeting the definition of mines, booby traps or other devices fall under the scope of mine action when their clearance is undertaken for humanitarian purposes and in areas where major active hostilities have ceased,

Recognizing that, in addition to the primary role of States, the United Nations plays a significant role in the field of assistance in mine action, in particular through the implementation of the Strategy of the United Nations on Mine Action 2013–2018 by members of the Inter-Agency Coordination Group on Mine Action,[4] chaired by the United Nations Mine Action Service at the working level,

Considering mine action to be an important and integrated component of United Nations humanitarian assistance and development activities, and noting the integration of mine action in numerous United Nations peacekeeping operations and special political missions mandated by the Security Council,

Recognizing the contribution of mine action to the 2030 Agenda for Sustainable Development,[5]

Noting with appreciation the cooperation and coordination of the Inter-Agency Coordination Group on Mine Action with non-governmental organizations and other stakeholders through meetings of the Committee on Mine Action,[6] and its active involvement in humanitarian coordination mechanisms, such as the Global Protection Cluster, and encouraging further enhancement of that cooperation,

Recognizing the importance of the full involvement and equal opportunities for participation of both women and men in mine action programmes,

Recognizing also the valuable mine action efforts of national, regional and international mine action practitioners, including United Nations personnel and peacekeepers, and also experts from relevant non-governmental organizations involved in mine action, enabling local communities and mine survivors to resume normal lives and reclaim their livelihoods by regaining access to previously contaminated lands,

Noting with appreciation national, regional and subregional efforts, including the African Union Mine Action and Explosive Remnants of War Strategic Framework 2014–2017,

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[4] Consisting of the United Nations Mine Action Service of the Department of Peacekeeping Operations of the Secretariat, the Office for Disarmament Affairs of the Secretariat, the United Nations Development Programme, the United Nations Children's Fund, the United Nations Office for Project Services, the Food and Agriculture Organization of the United Nations, the Office for the Coordination of Humanitarian Affairs of the Secretariat, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the World Food Programme and the World Health Organization. The United Nations Institute for Disarmament Research and the World Bank are observers.

[5] Resolution 70/1.

[6] The Committee on Mine Action is an informal information-sharing forum. The members are the Inter-Agency Coordination Group on Mine Action, non-governmental organizations involved in mine action, the International Committee of the Red Cross, the Geneva International Centre for Humanitarian Demining and academic institutions.

Noting with satisfaction that humanitarian appeals increasingly include mine action, where relevant, and underlining the importance of considering mine action during the earliest stages of planning and programming, where appropriate, in humanitarian emergency responses, in accordance with the humanitarian principles,

Taking note of the updated United Nations Policy on Victim Assistance in Mine Action, which highlights the significance of integrating victim assistance efforts into broader national and international frameworks, such as the Convention on the Rights of Persons with Disabilities,[7] as well as the importance of sustained services and support to victims of mines and explosive remnants of war,

Noting the ongoing implementation of the Strategy of the United Nations on Mine Action 2013–2018, including of its monitoring and evaluation mechanism, emphasizing the importance of using evaluation to inform the future direction of mine action within the United Nations, including the role and function of the United Nations Mine Action Service, and encouraging the members of the Inter-Agency Coordination Group on Mine Action to continue their work to improve the impact of the United Nations in the field of mine action,

Noting also the coordination efforts under the informal donor information-sharing forum known as the Mine Action Support Group, which endeavours to coordinate the humanitarian mine action programmes of donor States, harmonizing the prioritization of their respective mine action programmes and increasing donor support for mine action where it is most needed,

Noting further the discussions on the issue of improvised explosive devices of the informal group of experts under the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices, as amended on 3 May 1996 (Amended Protocol II),[8] and on the technical annex to the Protocol on Explosive Remnants of War (Protocol V)[9] to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[10]

1. *Takes note* of the report of the Secretary-General;[11]

2. *Calls upon* Member States to comply with their respective international obligations related to mine action;

3. *Calls*, in particular, for the continuation of the efforts of States, including through South-South, regional and subregional cooperation, with the assistance of the United Nations and relevant organizations involved in mine action, upon request and as appropriate and in coordination with the affected country, to foster the establishment and development of national mine action capacities in countries in which mines and explosive remnants of war constitute a serious threat to the safety, health and lives of the local civilian population or an impediment to the delivery of humanitarian assistance and social and economic development efforts at the national and local levels;

4. *Urges* all States, in particular those that have the capacity to do so, as well as the United Nations system and other relevant organizations and institutions involved in mine action, to support mine-affected States, upon request and as appropriate, by providing:

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[7] United Nations, *Treaty Series*, vol. 2515, No. 44910.
[8] Ibid., vol. 2048, No. 22495.
[9] Ibid., vol. 2399, No. 22495.
[10] Ibid., vol. 1342, No. 22495.
[11] A/72/226.

(a) Assistance to countries affected by mines and explosive remnants of war for the establishment and development of national mine action capacities, including in the fulfilment of the relevant international obligations of those countries;

(b) Support for national programmes, in cooperation with the relevant bodies of the United Nations system and relevant regional, governmental and non-governmental organizations, to reduce the risks posed by mines and explosive remnants of war, taking into consideration the different needs of women, girls, boys and men;

(c) Reliable, predictable, timely and, where possible, multi-annual contributions for mine action activities, including through national mine action efforts and mine action programmes of the United Nations and non-governmental organizations, including those relating to rapid response in humanitarian emergencies, victim assistance and mine risk education, especially at the local level, as well as through relevant national, regional and global trust funds, including the Voluntary Trust Fund for Assistance in Mine Action;

(d) Necessary information and technical, financial and material assistance to locate, remove, destroy and otherwise render ineffective minefields, mines and explosive remnants of war, in accordance with international law, as soon as possible;

(e) Technological assistance (i) to countries affected by mines and explosive remnants of war; and (ii) to promote user-oriented scientific research on and development of mine action techniques and technologies that are effective, sustainable, appropriate and environmentally sound;

5. *Encourages* efforts to conduct all mine action activities in accordance with the International Mine Action Standards or national standards compliant with those Standards, and emphasizes the importance of ensuring the accuracy and objectivity of reporting information as well as of using state-of-the-art technologies and an information management system, such as the Information Management System for Mine Action, to help to facilitate mine action activities;

6. *Notes* the ongoing work to further update the International Mine Action Standards;

7. *Urges* all mine-affected States, pursuant to applicable international law, to identify all areas, as appropriate, under their jurisdiction or control containing mines and explosive remnants of war in the most efficient manner possible and to employ land release techniques, including non-technical survey, technical survey and clearance when appropriate;

8. *Encourages* mine-affected States, with support from relevant United Nations agencies and development partners as appropriate, to proactively mainstream mine action, including victim assistance requirements and their linkage with health care and disabilities agendas, into development plans and processes to ensure that development priorities include mine action and that mine action, including victim assistance requirements, is predictably funded;

9. *Encourages* all relevant multilateral, regional and national programmes and bodies to include activities related to mine action, including clearance, in their peacebuilding, humanitarian, stabilization, rehabilitation, reconstruction, peace sustainment and development assistance activities, where appropriate, bearing in mind the need to ensure national and local ownership, sustainability and capacity-building, as well as to include a gender- and age-appropriate perspective in all aspects of such activities;

10. *Encourages* States, as appropriate, and relevant organizations involved in mine action to continue efforts to ensure that mine action programmes take into account risk education, the specific needs and requirements of victims and persons with disabilities and are gender- and age-sensitive, so that women, girls, boys and men can benefit equally from them, and also take into account the specific needs of refugees and internally displaced persons, and encourages the participation of all stakeholders, including women, in the programming of mine action;

11. *Urges* States to provide humanitarian assistance for victims of mines and explosive remnants of war and to take measures to spare the civilian population consistent with the principles of international humanitarian law;

12. *Encourages* States to support victims' access to appropriate medical care, physical and sensory rehabilitation, psychosocial support, education and skills training and income-earning opportunities and to provide those services to all, regardless of gender, age or socioeconomic status;

13. *Encourages* the provision of capacity-building assistance to affected countries in order to integrate assistance for victims into their national policy frameworks on health care, social services and disability-inclusive development by relevant United Nations agencies, civil society organizations and other entities with expertise in those matters;

14. *Stresses* the importance of cooperation and coordination in mine action and of devoting existing resources, as appropriate, to that end, emphasizes the primary responsibility of national authorities in that regard, and also stresses the supporting role of the United Nations, with the United Nations Mine Action Service as the coordinator for mine action within the United Nations system, and other relevant organizations in that regard;

15. *Notes with appreciation* the continued partnership and cooperation of the United Nations with regional and subregional organizations, especially the African Union, to mitigate the risk to civilians from mines and explosive remnants of war, including through the Joint United Nations-African Union Framework for an Enhanced Partnership in Peace and Security, and encourages in this regard the establishment of partnerships with regional, national and local organizations, as appropriate;

16. *Recognizes* the importance of explicitly incorporating references to mine action, when appropriate, in ceasefire and peace agreements, as well as in the mandates of peacekeeping operations and special political missions, as appropriate, in the light of the potential that mine action can have as a peace- and confidence-building measure in post-conflict situations among the parties concerned and in view of the ongoing dangers faced by peacekeeping personnel and host populations;

17. *Encourages* the United Nations to continue to take measures to improve coordination, efficiency, transparency and accountability, in particular by implementing the Strategy of the United Nations on Mine Action 2013–2018;

18. *Encourages* those States and organizations in a position to do so to support measures by all relevant actors aimed at improving rapid response capacity in humanitarian emergencies, as well as transparency and accountability;

19. *Requests* the Secretary-General to submit to the General Assembly at its seventy-fourth session a report on the implementation of the present resolution and on follow-up to previous resolutions on assistance in mine clearance and on assistance in mine action;

20. *Decides* to include in the provisional agenda of its seventy-fourth session the item entitled "Assistance in mine action".